

VIA HAND DELIVERY JULY 3, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application of: Ni et al.

Docket No.: PF210D1

Application No.: 09/227,854

Group Art Unit: 1646

Filed: January 11, 1999

Examiner: S. Prasad

For: HUMAN CHEMOTACTIC CYTOKINE I
POLYPEPTIDES (AS AMENDED)

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**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
Washington, DC 20231

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the last decision of the Examiner, dated January 29, 2002, which finally rejected claims 35-54 and 60-70 of the above-identified application.

Please charge our Deposit Account No. 08-3425 in the amount of \$320.00 covering the fee set forth in 37 C.F.R. § 1.17(b), as itemized on the enclosed Fee Transmittal Sheet. The Commissioner is hereby authorized to charge any deficiency in the fees filed, or credit any overpayment, to our Deposit Account No. 08-3425.

Dated: July 3, 2002

Respectfully submitted,

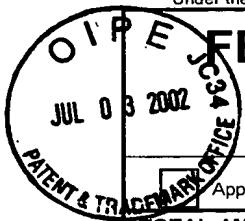
By Mark J. Hyman
Mark J. Hyman
Registration No.: 46,789

07/05/2002 AWONDAF1 00000138 083425 09227854
01 FC:119 320.00 CH

HUMAN GENOME SCIENCES, INC.
9410 Key West Avenue
Rockville, Maryland 20850
(240) 314-1224

MMW/MJH/LT/ba

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



FEET TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1,240.00)

Complete if Known

Application Number	09/227,854
Filing Date	January 11, 1999
First Named Inventor	Jian Ni
Examiner Name	S. Prasad
Group Art Unit	1646
Attorney Docket No.	PF210D1

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order Other None
 Deposit Account

Deposit Account Number **08-3425**

Deposit Account Name **Human Genome Sciences, Inc.**

The Commissioner is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)		(\$)		0.00	

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	31	-31** =	0 x	0.00
Independent Claims	6	-6** =	0 x	0.00
Multiple Dependent				

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)		(\$)		0.00	

** or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
105	130	205 65 Surcharge – late filing fee or oath	
127	50	227 25 Surcharge – late provisional filing fee or cover sheet.	
139	130	139 130 Non-English specification	
147	2,520	147 2,520 For filing a request for ex parte reexamination	
112	920*	112 920* Requesting publication of SIR prior to Examiner action	
113	1,840*	113 1,840* Requesting publication of SIR after Examiner action	
115	110	215 55 Extension for reply within first month	
116	400	216 200 Extension for reply within second month	920.00
117	920	217 460 Extension for reply within third month	
118	1,440	218 720 Extension for reply within fourth month	
128	1,960	228 980 Extension for reply within fifth month	
119	320	219 160 Notice of Appeal	320.00
120	320	220 160 Filing a brief in support of an appeal	
121	280	221 140 Request for oral hearing	
138	1,510	138 1,510 Petition to institute a public use proceeding	
140	110	240 55 Petition to revive – unavoidable	
141	1,280	241 640 Petition to revive - unintentional	
142	1,280	242 640 Utility issue fee (or reissue)	
143	460	243 230 Design issue fee	
144	620	244 310 Plant issue fee	
122	130	122 130 Petitions to the Commissioner	
123	50	123 50 Processing fee under 37 CFR 1.17(q)	
126	180	126 180 Submission of Information Disclosure Stmt	
581	40	581 40 Recording each patent assignment per property (times number of properties)	
146	740	246 370 Filing a submission after final rejection (37 CFR 1.129(a))	
149	740	249 370 For each additional invention to be examined (37 CFR 1.129(b))	
179	740	279 370 Request for Continued Examination (RCE)	
169	900	169 900 Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid			SUBTOTAL (3) (\$ 1,240.00)

** or number previously paid, if greater; For Reissues, see above

SUBMITTED BY					
Name (Print/Type)	Mark J. Hyman	Registration No. (Attorney/Agent)	46,789	Telephone	(240) 314-1224
Signature	<i>M.J. Hyman</i>			Date	July 3, 2002

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